S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE Docket Number: SUPPLEMENTAL INFORMATION 2664/58004 DISCLOSURE STATEMENT Filing Date Examiner Art Unit **Application Number** March 31,2004 Unassigned 1614 10/815,339 Invention Title Inventors CRYSTALLIZATION AND PURIFICATION OF Vilmos KERI et al. MACROLIDES

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandra, VA 22313-1450

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Sir:

- 1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
- 2. In accordance with the Official Gazette of August 5, 2003, which stated that the United States Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications filed after June 30, 2003, copies of each of the cited U.S. patents and U.S. patent application publications are not being provided.
- 3. Copies of patents, publications or other information listed on the modified PTO Form 1449 are enclosed, unless indicated otherwise.
- 4. A copy of an International Search Report (ISR) recently received in a corresponding PCT application is also enclosed.

5. It is believed that no fees are due in connection with this Information Disclosure Statement. However, should any fees be due the Commissioner is authorized to charge deposit account number 11-0600 for such fees.

Respectfully submitted,

Date:

December 6, 2004

KENYON & KENYON One Broadway New York, New York 10004 (212) 425-7200 (telephone) (212) 425-5288 (facsimile) CUSTOMER NUMBER 26646

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet of | 1

Complete if Known				
Application Number	10/815,339			
Filing Date	March 31, 2004			
First Named Inventor	Vilmos KERI et al.			
Art Unit	1614			
Examiner Name	To be assigned			
Attorney Docket Number	2664/58004			

U.S. PATENT DOCUMENTS					
	Cite	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant
	No.1	Number - Kind Code ² (if known)			Passages or Relevant Figures Appear
		US-2002/128470	9-12-2002	Fuenfschilling et al.	
_		US-2004/050782	3-18-2004	Fuenfschilling et al.	
		US-			
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		US-			

FOREIGN PATENT DOCUMENTS						
Examin er Initials*		Foreign Patent Document			Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	Cite No. ¹	Country Code ³ – Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document		Т8
		EP 0 652 219 A1	05-10-1995			
		EP 1 234 833 A2	08-28-2002			
		WO 00/33878	06-15-2000			
		CH 692 839 A5	11-29-2002			
		DE 2121517	11-09-1972			

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
		Patent Abstract of Japan Publication No. 02016662; Publication date January 19, 1990; Akashi Kazuya "Substituting Terminal Controller"		

Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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